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Filing date: **03/20/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|---------------------------|---|
| Proceeding | 91186698 |
| Party | Defendant Aptima, Inc. |
| Correspondence Address | JOHN J. BROOKS III 12 GILL ST STE 1400 WOBURN, MA 01801-1753 UNITED STATES jbrooks@aptima.com |
| Submission | Withdrawal Of Application |
| Filer's Name | John J. Brooks III |
| Filer's e-mail | jbrooks@aptima.com |
| Signature | /John J Brooks III/ |
| Date | 03/20/2009 |
| Attachments | Abandon 20090318.doc.pdf (2 pages)(315525 bytes) |

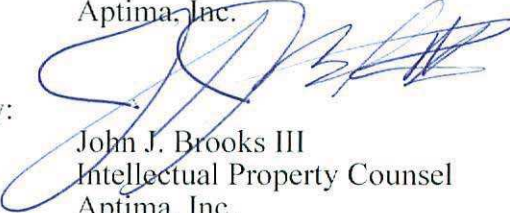
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

| | | |
|-------------------------|---|---------------------------------|
| Gen-Probe Incorporated, |) | Opposition No. 91186698 |
| |) | Application Serial No. 77267356 |
| Opposer, |) | |
| |) | |
| vs. |) | |
| |) | |
| Aptima, Inc., |) | |
| |) | |
| Applicant. |) | |

APPLICANT'S EXPRESS ABANDONMENT OF APPLICATION

Pursuant to 37 C.F.R. §2.68, Applicant Aptima, Inc. ("Applicant") expressly abandons and withdraws the application for trademark with above-identified application, Application Serial No. 77267356, as of the filing date of this paper. Except as provided in 37 C.F.R. §2.135, this express abandonment does not affect any right the Applicant has in the mark which is the subject of the abandoned application.

I am the attorney or agent of record for Applicant.

Respectfully submitted,
Aptima, Inc.

By: John J. Brooks III
Intellectual Property Counsel
Aptima, Inc.
12 Gill Street, Suite 1400
Woburn, MA 01801

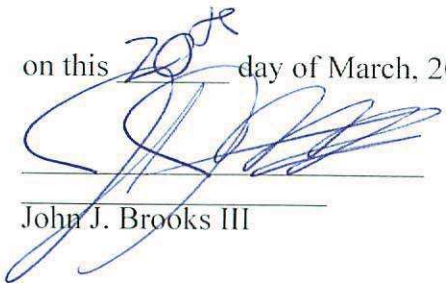
Date: March 20, 2009

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **APPLICANT'S EXPRESS ABANDONMENT OF APPLICATION** has been served by first-class mail, postage prepaid, to

Rothwell, Figg, Ernst & Manbeck P.C.
Attn: Brian E. Banner
1425 K St., N.W.; Suite 800
Washington, DC 20005
(202) 783-6040

on this 20th day of March, 2009.



John J. Brooks III